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TO: City Planning Commission

FROM: M. Rory Bolger, Staff

RE: **Proposed map amendment to Chapter 50, Zoning, Article XVII, Section 50-17-28, Map No. 26, to show an R2 (Two-Family Residential District) zoning classification where a PD (Planned Development District) zoning classification is currently shown at 11500, 11510, 11530, 11534, and 11542 Conner Avenue between Flanders and St. Patrick Avenues**

DATE: June 14, 2023

On June 15, 2023, the City Planning Commission (CPC) will convene a 6:00 PM public hearing to consider the rezoning of the five lots on Conner Avenue between Flanders and St. Patrick Avenues on District Map No. 26 in northeast Detroit, Council District 3, by amending Article XVII, Section 50-17-28 of the 2019 Detroit City Code (11500, 11510, 11530, 11534, and 11542 Conner).

The “PD Project”

As the City Planning Commission (CPC) will note from staff’s presentations at several previous CPC meetings, some 403 locations in the city of Detroit are zoned in the Planned Development (PD District) classification. Because the authorizations for those PDs have a limited “shelf life,” staff is identifying those locations that do not comport with the current Chapter 50 of the 2019 Detroit City Code, *Zoning*, and for which a rezoning may be needed. Earlier this year, the CPC recommended approval of the rezoning of the “lapsed PD” on zoning district map No. 44, the Salvation Army property (Selden, 18th, Magnolia, and Humboldt Streets) to a more appropriate R5 District classification.

Atypical PDs

The five PD properties on Conner Avenue opposite City Airport present a somewhat different scenario than the Map 44 Salvation Army properties since they came to be PDs through the “back door.”

Between 1947 and 1966, the Zoning Ordinance was amended numerous times to rezone land to what was then labeled an RMA District—Multiple Residential, Approval. These RMA Districts were established in areas that were largely characterized by single- and two-family dwellings and required special review and approval by the then City Plan Commission. In 1968, when the Zoning Ordinance underwent its first major rewrite since the original 1941 ordinance, any land that was identified as RMA was reclassified as PD (Planned Development). However, unlike today’s PD districts, which are generated pursuant to a development plan and an approved site plan, these “RMA PDs” provide no guidance as to the parameters of development, much less a binding site plan.

Law Department Direction

The Law Department has provided advice on how to proceed with “No-plan” PDs, such as the one on Conner Avenue.

... “All PD Districts that are not associated with any development regulations should be either (1) modified to adopt development regulations that are relevant to existing or proposed development projects located in the PD District, or (2) eliminated and rezoned to the most appropriate non-PD zoning classification.” (7/20/2020)

Zoning history of subject block

Map No. 26 has been amended several times, affecting the zoning of the subject block:

- 11500-11542 Conner were zoned R2 (Two-Family Residential District) from 1941 to 1954. (Ord. No. 171-D).
- In 1954, Council rezoned the properties from R2 to RMA (Multiple Residential, Approval). (Ord. No. 916-E);
 - RMA was apparently unique among zoning districts to require greater review and approval of a proposal by the then City Plan Commission.
 - The applicant wanted to “...erect a multiple-dwelling structure thereon to alleviate an acute need for housing for transient patrons of the Detroit City Airport, located across Conner from said property.” (JCC 8/24/1954, Pg. 2040).
- The City Plan Commission recommended denial; Map No. 26 was rezoned notwithstanding, 10/28/1954.
- The properties became PD in 1968—but without a development plan (Ord. No. 390-G).

Planning Considerations

Current Zoning

PD – Planned Development District

The PD district will permit planned developments throughout the City and will be particularly useful in urban renewal areas. Such planned developments shall be substantially in accord with the goals and objectives of the Master Plan, by having a major land use that corresponds to the most general category of land use, which are Residential, Public/Civic/Institutional, Retail/Service/Commercial, Manufacturing and Industrial, and Other, proposed in the Master Plan for the area involved. Such planned developments shall provide a desirable environment for the uses proposed and shall not be out of harmony with their general surroundings. The regulations of the district are designed to accomplish this by permitting flexibility in overall development while ensuring adequate safeguards and standards for public health, safety, convenience, and general welfare and, where applicable, encouraging historic preservation.

Proposed Zoning

R2 – Two-Family Residential District

The R2 Two-Family Residential District is designed to protect and enhance those areas developed or likely to develop with single- or two-family dwellings. The district regulations are designed to promote a suitable environment for homes and for activities connected with family life. The only principal uses permitted by right are single- and two-family dwellings and family day care homes.

R2 also allows for small apartment buildings (up to 8 units) on a conditional basis, similar to the multiple-family dwelling on the block that was demolished in the past year or so.

The R2 District also allows several public, civic, and institutional uses on a conditional basis:

- Cemeteries
- Educational institution
- Group day care home
- Neighborhood center, non-profit
- Outdoor art exhibition grounds; sculpture gardens
- Outdoor recreation facility
- Religious institution
- Residential-area utility facilities, public
- School building adaptive reuses—public, civic, and institutional
- School, elementary, middle/junior high, or high.

Surrounding Zoning and Land Use

The zoning classification and land uses for nearby properties are as follows:

North: B4 (General Business), vacant land.

East: R1 (Single-Family Residential) on St. Patrick, houses; R2 on Flanders, houses.

South: R3 (Low-Density Residential), vacant land—former De LaSalle high school site.

West: M2 (Restricted Industrial), City Airport.

Master Plan Consistency

The Conner block in question is located within Neighborhood Cluster 2, Conner Subsector. The Future Land Use map for this area shows “Low-Density Residential.” The Planning and Development Department has been belatedly requested to provide its determination of consistency with the Master Plan.

Outreach

All properties within 400 feet of the subject block have been mailed notification of the June 15th hearing; 300-foot notification is required. The five subject lots are owned by four different parties, including the City of Detroit.

Earlier this year, CPC staff alerted all property owners of our interest in rezoning the property. Staff spoke directly with the representative of the LLC that owns two of the properties, who is in full support of the rezoning. On two occasions, staff exchanged emails with the owner of the Adult Foster Care (AFC) home on this block who feared the rezoning would negatively affect her home; we explained that the status of the AFC would not be affected as it was covered by a Board of Zoning Appeals grant. One property owner, a Fort Lauderdale LLC, did not respond to outreach.

Attachment: Notice of Public Hearing

cc: Antoine Bryant, Director, PDD
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David Bell, Director, BSEED
Conrad Mallett, Corporation Counsel
Bruce Goldman, Law
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